









Annual Litigation Report Fiscal Year 2016

COMMONWEALTH OF KENTUCKY
DEPARTMENT OF PUBLIC ADVOCACY

EDWARD C. MONAHAN, PUBLIC ADVOCATE





Left to Right: John Rosenberg, Jerry Cox, Mark Stavsky, Debra Miller, Mike Bowling, Crystal Rae Coel, Cortney Lollar, Robert Ewald. Not Pictured: Darryl Durham, Charles English, Luke Milligan, Lewis Paisley



Commonwealth of Kentucky Public Advocacy Commission

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Commission Members

Jerry J. Cox

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John M. Rosenberg
Vice-Chairman

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Edward C. Monahan Commission Secretary

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ON THE COVER - DPA attorneys and staff working with clients. Left side, top to bottom: Newport Trial Attorney Tamara Scull, Post-Trial ASW Anthony Tanner, Lexington Trial Attorney Warren Beck, Richmond Trial Attorney Sara Zeurcher. Right upper: Boyd County Trial Attorney Michelle Rice, Newport Trial Attorney Sheena Baylon

The criminal justice system works best when prosecutors and defenders have a level playing field to present a case based on research, facts, and evidence. Whether in district or circuit court in all 120 counties, the Supreme Court of Kentucky, or the Kentucky Court of Appeals, public defense ensures that the system of law is balanced and fair for each person who comes before it.

We remain extremely proud of the statewide defender staff who help clients assigned by Kentucky judges to their care. They do their work well, valuing their clients and advocating for the individual liberties of each client. Despite this pride, the deficiencies of our statewide indigent defense system, which we oversee, remain acute. Workloads are in violation of professional standards. Conflict case compensation to private attorneys is inadequate to reimburse counsel for the necessary work. Employee compensation levels are substantially lower than the surrounding states and within Kentucky, making it difficult to attract and retain competent, experienced staff. Turnover of staff means it costs more to pay less.

We applaud Governor Bevin for his 2016 proposed budget request which would have provided funding for 44 additional defenders over the biennium. More public defender capacity at the start of cases is smart. It allows defenders to spend adequate time on their cases sooner, helps cases to be resolved promptly and reliably, and reduces frustrations of victims, judges, and prosecutors. Additional capacity increases the public's confidence in our criminal justice system and saves counties substantial funding spent on jails because cases proceed to conclusion sooner.

Likewise, we are grateful for the Kentucky Bar Association's continued support in the 2016 General Assembly for adequate resources for defenders:

- The 2015 KBA Task Force on Proper Compensation of Prosecutors and Public Defenders recommended funding to provide prosecutor and public defender staff with a 6.67% increase; prosecutors and defenders an additional 16.33% increase phased in over the biennium.
- The 2011 KBA Task Force on the Provision and Compensation of Conflict Counsel for Indigents recommended reasonable compensation to private attorneys providing representation in conflict cases.

Unfortunately for taxpayers, these resources were not realized in 2016. However, as the overseers of the indigent defense system in our Commonwealth, we continue our resolve to obtain adequate resources for public defense, to reduce workloads, and to increase compensation for full-time defenders and private attorneys doing conflict work on contract.

Ensuring that attorneys have adequate time and resources to prepare a full and just defense for each client is a vital part of the justice system. With adequate funding for public defense, our justice system delivers fair and efficient results, and we gain the respect of the community for responding to challenges facing our legal system.

Sincerely,

JungGlox

Jerry J. Cox Chair, Public Advocacy Commission

DEFENDING THEM ALL: ONE CLIENT AT A TIME

The Department of Public Advocacy (DPA), Kentucky's statewide indigent defense program, is a workhorse of state government. Like the Department of Corrections, DPA has no ability to control its workload. Courts in every county appoint DPA to represent clients in more than 158,000 cases annually. We proudly defend them all...with our all. We do not pick and choose. We do not turn anyone away. We do not leave anyone behind.

Every client is appointed a well-trained lawyer to stand with him or her to defend against the state's allegations. Every day, Kentucky defenders protect clients from the overreach of the government by working to enforce liberties guaranteed to every person by our Bill of Rights. DPA accomplishes this with a structure that squeezes as much as possible out of a limited amount of money. With funding of \$267 per trial level case in FY16, DPA has a very high return on investment.

Edward C. Monahan Public Advocate

@KYPubAdvocate

There are substantial financial benefits to counties, the state, and Kentucky taxpayers when public defense systems are properly funded. Public defenders who are competent, who have manageable workloads, and who have professional independence make certain that the rights guaranteed by our Constitution are protected and ensure that no one's liberty is taken unless proven guilty. Public defenders lower costly incarceration rates by:

- being present at first appearances and advocating for pretrial release;
- advocating for reduced sentences based on the facts of the case;
- developing alternative sentencing options that avoid incarceration and provide treatment;
- assisting clients upon adjudication with reentry needs including, employment and housing; and
- preventing expensive wrongful convictions.

This 2016 Annual Litigation Report is an account of the public value of public defense, one client at a time.

Edward L. Monchen

Edward C. Monahan Public Advocate

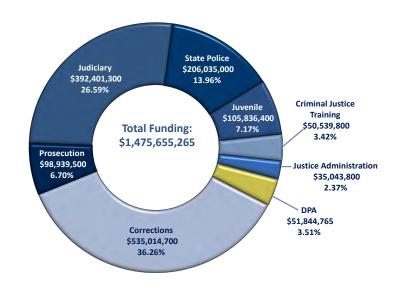


Department of Public Advocacy Leadership Team (from L to R): Jeff Sherr, Education and Strategic Planning Branch Manager; Jeff Edwards, Protection and Advocacy Director; Brad Holajter, Law Operations Director; Ed Monahan, Public Advocate; Damon Preston, Deputy Public Advocate; Glenda Edwards, Trial Director; B. Scott West, General Counsel; Tim Arnold, Post-Trial Director.

Revenue and Expenditures - FY2016

DPA FUNDING IS 3.5% OF THE CRIMINAL JUSTICE SYSTEM FUNDING, FY 16

Kentucky residents count on a reliable, effective, and efficient justice system to keep communities safe and help get lives back on track. Public defense, like the prosecution, the courts, and the police, plays a vital role in ensuring the justice system works reliably and efficiently, but public defense represents a very small part of the overall Criminal Justice System.



Source: DPA Fiscal Branch & Office of State Budget Director

DPA EXPENDITURES FY 2016 **88**% Direct Services to Clients A. Sto MCREASE IN NEW IRIAL CAS **12**% Operating Expenses **FY 2006** ,853 NEW TRIA **DPA REVENUE** \$1,229,771 Partial Fees \$1,028,760 DUI Fees **\$814,500** Court Costs \$3,073,031 Total **FUNDING PER CONFLICT CASE FUNDING PER NEW TRIAL CASE**

THE VALUE OF PUBLIC DEFENSE

WHAT SERVICE DOES DPA PROVIDE TO THE COMMONWEALTH? 158,514 Total New Trial and Post-Trial Cases

TRIAL DIVISION

157,853 New Cases

24,336 Circuit Court Felony Cases

54,416 District Court Misdemeanor Cases

37,149 District Court Felony Cases

18,476 Total Revocation Cases

9,190 Juvenile Cases

3,422 Involuntary Commitment Cases

6,396 Contempt Cases

7,328 Conflict Cases

41 Capital Cases

52 DJJ Supervised Placement Hearings

490 Parole Revocation Cases

6 District Court Appeals to Circuit Court

4 People Under Investigation but not Charged

POST-TRIAL DIVISION

661 New Cases

165 Direct Appeals in Court of Appeals

86 Direct Appeals in KY Supreme Court

254 Post-Conviction Court Appointments

196 Innocence Case Reviews

109 Juvenile Post-Disposition Cases

33 Capital Clients Represented



181,116 Total Trial Cases Handled

PROTECTION & ADVOCACY

1,721 clients assisted

522 new cases

65 facilities monitored

ALTERNATIVE SENTENCING WORKERS

2,215 plans presented to the courts

63% of plans were granted

\$5.66 return on investment for every dollar spent on the program

INVOLUNTARY COMMITMENT

In addition to criminal defendants, DPA attorneys represent individuals whose liberty is at stake because of a petition to commit them involuntarily to a treatment facility, due to mental illness or drug or alcohol addiction. These cases are handled primarily by eight offices.

OFFICE	CASES
Louisville	1,390
Hopkinsville	1,070
Covington	261
Lexington	225
Boone County	197
Hazard	197
Elizabethtown	46
Newport	34
Other Offices	2
DPA TOTAL	3,422

Trial Division: The Accused Client



Glenda Edwards Trial Division Director Acting Bluegrass Region Manager



Rodney Barnes Northern Region Manager



Roger Gibbs Eastern Region Manager



Eric Stovall Western Region Manager



Renae Tuck Central Region Manager



Teresa Whitaker Capital Trial Manager

DPA'S 33 **OFFICES**

provide representation to indigent clients in adult criminal, juvenile, civil contempt, and involuntary commitment cases. DPA attorneys, investigators, alternative sentencing workers, and administrative professionals all have vital roles as part of the mission of DPA.



by insisting clients be treated fairly while guarding all constitutional protections for every client.



THE AVERAGE NUMBER **OF NEW CASES ASSIGNED** PER TRIAL ATTORNEY IN FY 2016

460

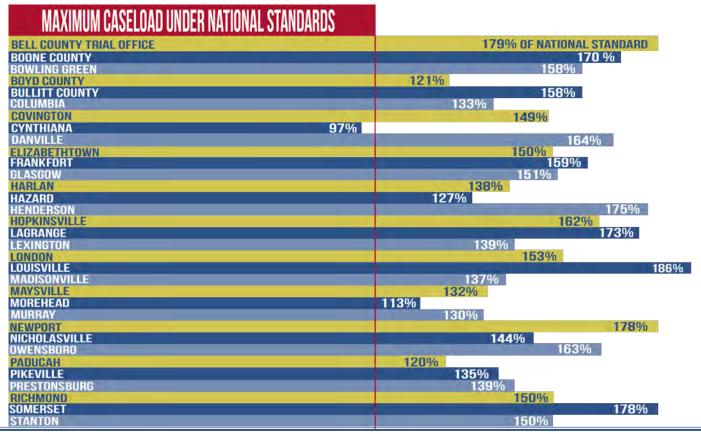
CASELOADS INCREASED BY

STATEWIDE FROM PRIOR YEAR

IN FY16, TRIAL ATTORNEY **CASELOADS WERE ABOVE**

NATIONAL **STANDARDS**

DPA TRIAL OFFICE CASELOADS EXCEED NATIONAL STANDARDS



CONFLICT CASES IN FY16



CASES ASSIGNED TO OUTSIDE 4,335 **COUNSEL**

CASES HANDLED INTERNALLY 2,439 WITH WAIVER

CASES HANDLED BY OTHER **554** DPA OFFICES

THE CONFLICT CLIENT

FUNDING PER CONFLICT CASE



\$327



155 PRIVATE ATTORNEYS **ACCEPTED CONFLICT CASES**













"Tracy" was a nurse with a THE ACCUSED CLIENT good job. After Tracy was

found with a stolen safe-deposit box key, she was charged with burglary and suspended from her work because of the charge. Tracy insisted that she got the key from a friend who said it was hers, but her friend told police that Tracy had committed the burglary. DPA Investigator Steven Davis went to work on the case and uncovered alibi witnesses who proved that Tracy had told the truth. Additionally, DPA Attorney Lauren Bieger found text messages that revealed more problems with the friend's story. Faced with this defense evidence, the Commonwealth dismissed the charges, which meant that Tracy could return to work and not face a potential ban from future nursing positions. The dismissed charge has now been expunged so the false accusation is no longer on her record.

"Dakota" was a juvenile THE JUVENILE CLIENT charged in Family Court

with truancy and represented by DPA Attorney Eva Hager. After several hours of evidence at an Adjudication Hearing, Attorney Hager was able to convince the prosecutor that the child and family should be given services, not prosecuted. The court case was dismissed, but that was just the start. Through a multi-disciplinary team approach, Dakota is now getting help for Post-Concussion Syndrome and special educational needs. Children's advocacy groups and treatment providers are fully involved to make sure Dakota does not return to court.

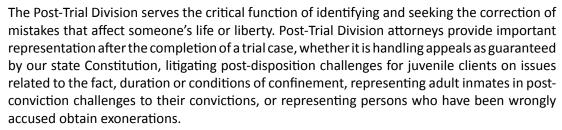
POST-TRIAL DIVISION: THE CONVICTED CLIENT



Tim Arnold Post-Trial Division Director JPDB Manage



Appeals Branch Manager





Amy Robinson Staples Post-Conviction Branch Manager

Frankfort

Sam Potter

Appeals Supervisor



Linda Smith Kentucky Innocence Project



Supervisor



M. Brooke Buchanan Post-Conviction Supervisor



Margaret Ivie Post-Conviction Supervisor LaGrange



Steven Buck Appeals Supervisor

661 New Cases





254 Post-Conviction Court Appointments

196 Innocence Case Reviews

109 Juvenile Post-Disposition Cases

22 Claims of Innocence Investigated

10 Individuals Represented by KIP in Court Cases Claiming Innocence





Liberty and justice for all, especially the wrongly convicted: America is about fairness and freedom. The Post-Trial Division is there for those people who have been treated unfairly by the justice system.

THE VICTIMIZED CLIENT

Though perhaps unlikely allies, the Department of Public Advocacy and the Kentucky Coalition Against Domestic Violence (KCADV) joined forces to ask the Governor for clemency on behalf of ten domestic violence victims who had been convicted of felonies relating to their abuse. On December 8, 2015, his last day in office, Governor Beshear granted relief for all ten women.

Amy Robinson Staples led DPA's efforts, working with Brooke Buchanan and Jennie Fisk, while Sherry Currens and Meg Savage headed the work of the KCADV. Four of the women were granted full pardons. The other six had their sentences reduced to time served, releasing them from prison or from parole supervision. Thanks to Governor Beshear and the KCADV for recognizing and righting the unjust convictions and sentences given to these victims.

THE EXCESSIVE SENTENCE CLIENT

"Dottie" could not pay her rent. In fact, she was so poor a local church helped her by paying \$200 of her \$700 rent. After missing the due date for the balance, Dottie wrote a check for \$550 to cover the remaining rent and a \$50 late fee. Unfortunately, the check bounced and Dottie was evicted for her non-payment of rent. Beyond the penalty of losing her apartment, Dottie was prosecuted for writing the cold check, charged with felony Theft by Deception over \$500.

DPA Attorney Ray Ibarra represented Dottie and argued that she should not be convicted of a felony, but she was convicted at trial and sentenced to almost two years in prison. Fortunately, DPA Appeals Attorney Karen Maurer was able to use Ibarra's argument to get Dottie's conviction reversed on appeal. She will no longer face a two-year prison sentence in addition to losing her home for bouncing a \$550 rent check.

THE CAPITAL CLIENT



THE CAPITAL CLIENT

Almost a year and a half after KM* was found behind her house in rural eastern Kentucky with a fatal wound to her head, Jonathan Taylor and two others were charged with the robbery and murder of KM. The lengthy investigation of KM's death had revealed no physical evidence linking Jonathan to the death, but the prosecution chose to press charges based on various witnesses who claimed that Jonathan said he was involved.

Almost as soon as DPA's capital litigation team of Attorneys Sam Cox and Heather Gatnarek, Investigator Joshua Powell, and Mitigation Specialist Dawn Jenkins got involved, the case against Jonathan began to crumble. One witness, a teenage girl who was jealous of Jonathan's girlfriend, took back her claims shortly after Jonathan was arrested and told investigators multiple times that she did not believe he was involved. Two others were cellmates with Jonathan in jail who

gave self-serving statements to help their own cases. Both later took back their statements and said Jonathan had not said he was involved. Multiple witnesses said that police investigators had threatened to charge them with murder if they did not give information about someone else.

In addition to showing that the prosecution witnesses might not be reliable, the defense investigation also demonstrated that KM's death was possibly not a murder at all. There was evidence to suggest that perhaps she had slipped on the icy back porch at her house, causing her to fall and hit her head on the rocks just off the porch.

Finally, the defense team learned that, although he is good at pretending he is not, Jonathan is intellectually disabled, which means he cannot be sentenced to death. After reviewing testing results, the prosecution agreed to drop its intention to seek the death penalty, but continued pursuing the case.

Trial dates were delayed seven times, but right before the latest trial date, the prosecution finally realized that there was no credible case to pursue. The Commonwealth moved to dismiss the charges because of the lack of evidence. After facing a possible execution at one time, Jonathan was released from jail after spending more than four years in custody for a murder he did not commit.

*Full name omitted out of respect for the deceased and her family.

TRIAL DIVISION

41 Death Eligible Cases Handled

12 New Capital Clients Represented at Trial

8 Non-Death Sentences

1 Aquittal

O Death Sentences

POST-TRIAL DIVISION

33 Capital Clients Represented



DIRECTING ATTORNEYS



Linda West Bell County 606-337-8357



Stephen Florian Rena Boone County Bowlir 859-282-0818 270-8



Renae Tuck Bowling Green 270-846-2731



Brian Hewlett Boyd County 606-739-4161



Jennifer Wittmeyer Bullitt County 502-955-8594



Capital T 859-24



Shanda West-Stiles Columbia 270-384-1297



Daniel Schubert Covington 859-292-6596



Jennifer Fransen Cynthiana 859-234-4535



Danville 859-239-7070



Susie Hurst Elizabethtown 270-766-5160



Nathan Goodrich Frankfort 502-564-7204



Greg Berry Glasgow 270-834-8236



William Seidelman Harlan 606-573-2501



Ha

606-43

Pineville

(Bell Co.)

London



Tina McFarland Henderson 270-826-1852



Brandi Jones Hopkinsville 270-889-6527



Dan Goyette Jefferson County 502-574-3800

Henderson

Trigg

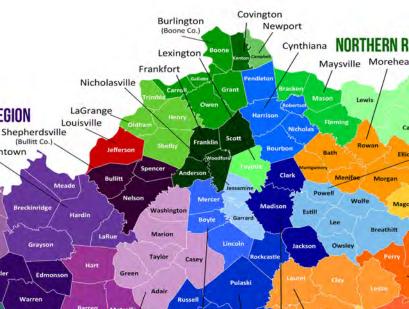


Liz Curtin LaGrange 502-222-7712

Owensboro

CENTRAL REGION

Elizabethtown







Murray WESTERN REGION

Roger Gibbs

London

606-330-2050



Hopkinsville

Eric Stovall Madisonville 270-824-7001



Bowling Green

Sarah Fightmaster Maysville 606-564-5768



Glasgow

Columbia

Charles Landon Morehead 606-783-8600



Cheri Riedel Murray 270-753-4633



Danville Somerset Richmond

BLUEGRASS REGION

Eva Hager Newport 859-261-0192



Erica Roland Nicholasville 859-881-4460



Shannon Brooks-English

Lexington South

859-246-2906

Leigh Jackson Owensboro 270-687-7030



Chris McNeill Paducah 270-575-7285



Traci Hancock Pikeville 606-433-7576



Steve Goble Prestonsburg 606-886-1101



Valetta Browne Richmond 859-623-8413



Emily Reed Somerset 606-677-4129



Lisa Whisman Stanton 606-663-2844



Joanne Lynch Capital Trials West 502-647-0483







DPA TRIAL CASELOADS - FY 16

	Number of		Total	Total	Average	Cases	% of Cases	District	Circuit	Family
	Attorney	Average	New	Cases	Cases	with a	with a	Court	Court	Court
Office	Positions	New Cases	Cases	Handled	Handled	Conflict	Conflict	%	%	%
Bell County	4	497	2,033	2,440	599	172	8.5%	73%	27%	0%
Boone County	11	484	5,552	6,258	548	271	4.9%	67%	33%	0%
Bowling Green	10	448	4,776	5,731	544	303	6.3%	58%	35%	6%
Boyd County	10	369	3,915	4,128	390	419	10.7%	65%	26%	9%
Bullitt County	8	493	4,067	4,872	594	185	4.5%	68%	24%	7%
Columbia	8	396	3,291	3,508	423	247	7.5%	66%	34%	0%
Covington	10	416	4,376	4,747	453	292	6.7%	55%	31%	14%
Cynthiana	5	307	1,631	1,957	372	101	6.2%	72%	21%	7%
Danville	4	511	2,080	2,496	615	38	1.8%	75%	20%	5%
Elizabethtown	12	461	5,726	6,281	507	414	7.2%	71%	23%	5%
Frankfort	8	472	3,934	4,720	570	176	4.5%	64%	28%	8%
Glasgow	5	431	2,198	2,233	438	58	2.6%	64%	34%	1%
Harlan	4	405	1,649	1,798	442	102	6.2%	74%	26%	0%
Hazard	9	394	3,574	3,915	432	111	3.1%	78%	21%	1%
Henderson	7	524	3,748	3,945	552	92	2.5%	70%	22%	8%
Hopkinsville	14	437	6,244	6,598	462	138	2.2%	72%	22%	5%
LaGrange	6	483	2,972	3,248	529	86	2.9%	66%	31%	3%
Lexington	22	446	9,911	10,269	462	786	7.9%	80%	18%	1%
London	10	456	4,820	5,192	494	396	8.2%	75%	22%	2%
Louisville *	67	542	36,394	46,984	700	72	0.2%	74%	26%	0%
Madisonville	6	420	2,632	2,696	431	113	4.3%	76%	22%	1%
Maysville	4	419	1,797	2,156	509	131	7.3%	77%	23%	0%
Morehead	10	353	3,692	3,917	376	245	6.6%	69%	27%	4%
Murray	9	402	3,764	4,068	436	170	4.5%	77%	22%	0%
Newport	6	470	2,901	3,481	566	145	5.0%	57%	39%	3%
Nicholasville	5	427	2,256	2,610	497	130	5.8%	73%	22%	4%
Owensboro	10	464	4,833	5,299	510	199	4.1%	69%	29%	1%
Paducah	10	336	3,509	3,693	354	307	8.7%	64%	30%	4%
Pikeville	5	466	2,385	2,862	562	62	2.6%	86%	12%	1%
Prestonsburg	8	445	3,723	4,113	494	362	9.7%	77%	18%	5%
Richmond	11	467	5,416	5,669	490	491	9.1%	77%	19%	3%
Somerset	9	497	4,566	5,341	583	211	4.6%	63%	32%	5%
Stanton	7	484	3,488	3,891	541	303	8.7%	79%	20%	1%
DPA Total	334	460	157,853	181,116	529	7,328	4.6%	71%	25%	3%

^{*} The Louisville-Jefferson County Public Defender Corporation is a non-profit organization rendering legal services in the largest jurisdiction in the Commonwealth to indigent adults and juveniles accused of crimes and status offenses, and those who are subjected to involuntary hospitalization due to mental illness. During FY16, Louisville data was collected independently and reported to DPA.

DPA TRIAL CASE ASSIGNMENTS BY COUNTY - FY16

		Conflict Cases										
	Total								Adult		Juve	nile
	FY16	Private	Circuit Court District Court		Family Court		Cases		Cases			
County	Cases	Attorneys	Cases	%	Cases	%	Cases	%	Cases	%	Cases	%
Adair	479	21	127	28%	331	72%	0	0%	466	97%	13	3%
Allen	475	16	159	35%	291	63%	9	2%	454	96%	21	4%
Anderson	642	4	188	29%	357	56%	93	15%	608	95%	34	5%
Ballard	245	18	79	35%	148	65%	0	0%	239	98%	6	2%
Barren	1,240	30	457	38%	731	60%	22	2%	1,161	94%	79	6%
Bath	441	32	112	27%	297	73%	0	0%	427	97%	14	3%
Bell	2,049	44	531	26%	1,474	74%	0	0%	2,001	98%	48	2%
Boone	3,258	113	945	30%	2,194	70%	6	0%	3,110	95%	148	5%
Bourbon	408	31	75	20%	260	69%	42	11%	392	96%	16	4%
Boyd	1,333	104	306	25%	923	75%	0	0%	1,272	95%	61	5%
Boyle	885	15	205	24%	615	71%	50	6%	869	98%	16	2%
Bracken	160	11	50	34%	99	66%	0	0%	156	98%	4	3%
Breathitt	509	4	98	19%	402	80%	5	1%	496	97%	13	3%
Breckinridge	258	9	86	35%	163	65%	0	0%	255	99%	3	1%
Bullitt Butler	2,500 361	76 31	689 157	28% 48%	1,621 153	67% 46%	114 20	5% 6%	2,386 332	95% 92%	114 29	5% 8%
Caldwell	503	16	161	33%	326	67%	0	0%	492	92%	11	2%
Calloway	927	69	235	27%	620	72%	3	0%	908	98%	19	2%
Campbell	2,861	84	1,091	39%	1,589	57%	97	3%	2,638	92%	223	8%
Carlisle	90	4	20	23%	66	77%	0	0%	84	93%	6	7%
Carroll	856	41	323	40%	492	60%	0	0%	840	98%	16	2%
Carter	1,292	58	223	18%	757	61%	254	21%	1,246	96%	46	4%
Casey	429	8	148	35%	273	65%	0	0%	408	95%	21	5%
Christian	4,416	87	680	16%	3,355	78%	294	7%	4,309	98%	107	2%
Clark	1,662	77	147	9%	1,368	86%	70	4%	1,567	94%	95	6%
Clay	1,134	32	152	14%	950	86%	0	0%	1,112	98%	22	2%
Clinton	350	19	83	25%	248	75%	0	0%	341	97%	9	3%
Crittenden	358	15	96	28%	232	68%	15	4%	344	96%	14	4%
Cumberland	214	12	42	21%	160	79%	0	0%	206	96%	8	4%
Daviess	3,896	158	1,022	27%	2,716	73%	0	0%	3,551	91%	345	9%
Edmonson	180	13	92	55%	72	43%	3	2%	174	97%	6	3%
Elliott	178	1	54	31%	95	54%	28	16%	174	98%	4	2%
Estill	652	36	141	23%	475	77%	0	0%	628	96%	24	4%
Fayette	9,857	109	1,744	18%	7,871	81%	133	1%	9,562	97%	295	3%
Fleming	597	25	113	20%	459	80%	0	0%	565	95%	32	5%
Floyd	2,103	103	274	14%	1,647	82%	79	4%	2,080	99%	23	1%
Franklin	1,561	78	418	28%	915	62%	150	10%	1,435	92%	126	8%
Fulton	372	12	103	29% 34%	257	71% 66%	0	0%	365	98%	7	2% 9%
Gallatin Garrard	269 491	8 29	90 64	34% 14%	171 379	82%	19	0% 4%	246 446	91% 91%	23 45	9%
Garrard Grant	884	45	309	37%	530	63%	0	0%	827	91%	45 57	9% 6%
Grant	2,133	56	316	15%	1,761	85%	0	0%	2,072	94%	61	3%
Grayson	446	33	132	32%	281	68%	0	0%	442	99%	4	1%
Green	249	16	82	35%	151	65%	0	0%	232	93%	17	7%
Greenup	597	54	248	46%	293	54%	2	0%	590	99%	7	1%
Hancock	112	0	41	37%	71	63%	0	0%	102	91%	10	9%
Hardin	3,998	128	776	20%	2,801	72%	293	8%	3,881	97%	117	3%
Harlan	1,569	32	375	24%	1,162	76%	0	0%	1,518	97%	51	3%
Harrison	637	21	109	18%	475	77%	32	5%	607	95%	30	5%
Hart	504	9	155	31%	340	69%	0	0%	495	98%	9	2%
Henderson	2,377	37	423	18%	1,696	72%	221	9%	2,167	91%	210	9%
Henry	534	25	145	28%	360	71%	4	1%	509	95%	25	5%
Hickman	114	5	34	31%	75	69%	0	0%	111	97%	3	3%
Hopkins	1,823	63	274	16%	1,466	83%	20	1%	1,748	96%	75	4%
Jackson	326	8	101	32%	217	68%	0	0%	324	99%	2	1%
Jefferson*	36,394	72	9,347	26%	26,975	74%	0	0%	32,488	89%	3,906	11%
Jessamine	1,766	94	410	25%	1,186	71%	76	5%	1,615	91%	151	9%
Johnson	805	28	228	29%	503	65%	46	6%	798	99%	7	1%
Kenton Knott	4,348 324	215 2	1,244 50	30% 16%	2,297 248	56% 77%	592 24	14% 7%	4,149 304	95% 94%	199 20	5% 6%

^{*} Jefferson County data was collected independently by the Louisville-Jefferson County Public Defender Corporation and reported to DPA. Contempt cases are not separately counted.

DPA TRIAL CASE ASSIGNMENTS BY COUNTY - FY16

		Conflict Cases							0.4			
	Total Assigned to FY16 Private Circuit Court District Court		C	Family.	Carret	Adı		Juvenile Cases				
	FY16	Private				1	Family		Cas			
County	Cases	Attorneys	Cases	%	Cases	%	Cases	%	Cases	%	Cases	
Knox	1,037	69	273	28%	661	68%	34	4%	980	95%	57	5%
Larue	353	11 89	82	24%	260	76%	0 64	0%	324	92%	29	8% 10%
Laurel Lawrence	1,549 446	89 7	320 125	22% 28%	1,076 270	74% 62%	44	4% 10%	1,398 435	90% 98%	151 11	2%
Lee	451	12	51	12%	388	88%	0	0%	433	95%	24	5%
Leslie	254	7	47	19%	200	81%	0	0%	253	100%	1	0%
Letcher	1,109	6	339	31%	764	69%	0	0%	1,092	98%	17	2%
Lewis	272	3	74	28%	172	64%	23	9%	267	98%	5	2%
Lincoln	650	16	84	13%	543	86%	7	1%	617	95%	33	5%
Livingston	230	7	54	24%	169	76%	0	0%	214	93%	16	7%
Logan	484	7	250	52%	227	48%	0	0%	456	94%	28	6%
Lyon	313	6	124	40%	183	60%	0	0%	310	99%	3	1%
Madison	3,405	197	752	23%	2,366	74%	90	3%	3,280	96%	125	4%
Magoffin	372	2	34	9%	299	81%	37	10%	356	96%	16	4%
Marion	571	12	212	38%	347	62%	0	0%	544	95%	27	5%
Marshall	688	26	250	38%	406	61%	6	1%	665	97%	23	3%
Martin Mason	472 984	27 85	119 203	27% 23%	299 696	67% 77%	27 0	6% 0%	455 965	96% 98%	17 19	4% 2%
McCracken	2,405	105	704	31%	1,447	63%	149	6%	2,251	98%	154	6%
McCreary	366	31	111	33%	224	67%	0	0%	349	95%	17	5%
McLean	141	14	42	33%	85	67%	0	0%	125	89%	16	11%
Meade	606	21	193	33%	392	67%	0	0%	574	95%	32	5%
Menifee	159	3	42	27%	114	73%	0	0%	155	97%	4	3%
Mercer	539	6	109	20%	383	72%	41	8%	514	95%	25	5%
Metcalfe	197	6	74	39%	115	60%	2	1%	177	90%	20	10%
Monroe	249	1	48	19%	200	81%	0	0%	243	98%	6	2%
Montgomery	1,421	73	407	30%	941	70%	0	0%	1,381	97%	40	3%
Morgan	515	7	64	13%	335	66%	109	21%	503	98%	12	2%
Muhlenberg	638	35	247	41%	356	59%	0	0%	621	97%	17	3%
Nelson	1,322	50	331	26%	937	74%	4	0%	1,259	95%	63	5%
Nicholas Ohio	234 759	15 41	48 282	22% 39%	152 400	69% 56%	19 36	9% 5%	232 721	99% 95%	2 38	1% 5%
Oldham	710	6	202	31%	470	67%	17	2%	632	89%	78	11%
Owen	253	20	79	34%	154	66%	0	0%	246	97%	70	3%
Owsley	368	16	50	14%	302	86%	0	0%	344	93%	24	7%
Pendleton	297	22	77	28%	195	71%	3	1%	289	97%	8	3%
Perry	2,074	28	335	16%	1,711	84%	0	0%	2,063	99%	11	1%
Pike	2,383	53	284	12%	2,012	86%	34	1%	2,358	99%	25	1%
Powell	957	16	190	20%	746	79%	5	1%	927	97%	30	3%
Pulaski	1,926	30	712	38%	1,127	59%	57	3%	1,814	94%	112	6%
Robertson	59	7	11	21%	23	44%	18	35%	59	100%	0	0%
Rockcastle	667	4	192	29%	455	69%	16	2%	650	97%	17	3%
Rowan	960	41	280	30%	639	70%	0	0%	935	97%	25	3%
Russell Scott	812 1,329	23 77	249 343	32% 27%	493 884	62% 71%	47 25	6% 2%	780 1,276	96% 96%	32 53	4% 4%
Shelby	1,329	16	414	30%	902	66%	54	2% 4%	1,276	90%	113	8%
Simpson	447	20	132	31%	276	65%	19	4%	424	95%	23	5%
Spencer	201	5	38	19%	116	59%	42	21%	189	94%	12	6%
Taylor	839	31	306	38%	502	62%	0	0%	812	97%	27	3%
Todd	146	3	63	44%	80	56%	0	0%	141	97%	5	3%
Trigg	355	12	89	26%	254	74%	0	0%	337	95%	18	5%
Trimble	332	30	130	43%	171	57%	1	0%	320	96%	12	4%
Union	594	10	174	30%	362	62%	48	8%	565	95%	29	5%
Warren	3,272	214	1,024	33%	1,801	59%	233	8%	3,152	96%	120	4%
Washington	139	2	43	31%	94	69%	0	0%	134	96%	5	4%
Wayne	768	3	162	21%	506	66%	97	13%	728	95%	40	5%
Webster	414	16	110	28%	273	69%	15	4%	399	96%	15	4%
Whitley Wolfe	903 550	67 20	289 141	35% 27%	547 376	65%	12	0% 2%	832 521	92% 95%	71 29	8% 5%
Woodford	378	3	100	27%	243	71% 65%	13 32	2% 9%	343	95%	35	9%

Alternative Sentencing Workers



PLANS PRESENTED TO THE COURTS **PLANS GRANTED BY COURTS**

The Alternative Sentencing Worker Program (ASWP) consists of 45 ASWs in trial offices throughout the Commonwealth, including six in the Louisville-Jefferson County Public Defender Corporation, and one in DPA's Post-Trial Division, offering services to individuals represented by public defenders. Through a referral process, public defenders and ASWs identify individuals who suffer from substance abuse and/or mental health disorders, offering alternative options to the court, in lieu of incarceration. The value of these services is enhanced through the use of Motivational Interviewing which engages the individuals' willingness to start treatment, thus improving the odds that treatment will be beneficial. While the ASWP is not a treatment program, it aims to motivate individuals to participate actively in their treatment and rehabilitation.

For every dollar spent on the ASW Program, there was a \$5.66

return on investment from incarceration costs that were avoided due to interventions. **

Clients served 1,596 days incarcerated out of the 11,292 days they would have served in the 12 months of the project follow-up.

This is a reduction of over 85%*



THE RECOVERING CLIENT "Mary" was sentenced to five years of probation in 2011,

but after completing 3 years, her probation was revoked and Mary faced 5 years in jail. While incarcerated, Mary found out she was pregnant. At her shock probation hearing, Alternative Sentencing Worker Melinda Hornback submitted an Alternative Sentencing Plan which was granted on the condition that Mary would complete Drug Court following long-term treatment. ASW Hornback secured a bed at Bethany Hall in Roanoke, VA, and switched Mary to Virginia Medicaid. Mary went on to deliver a healthy, drug-free baby girl. She completed treatment, entered

their aftercare program, and found a job and child care. ASW Hornback sought letters from the aftercare counselor about the program and mandatory drug testing. When this was presented to the court, Mary was released from her responsibility to the Drug Court. Treatment staff shared with ASW Hornback that Mary came in a girl, but is now a woman who is a great mom.

CLIENTS SERVED

37% **FEMALE***

14-77 YEARS OLD*

34 PREGNANT CLIENTS*

66 VETERANS*

CIRCUIT COURT FELONIES*

ADULT DISTRICT & FAMILY COURT*

INVOLUNTARY **COMMITMENT***

JUVENILE*

OF PLANS PRESENTED WERE GRANTED

^{*}Does not include Louisville-Jefferson County Public Defender Corporation Caseload Numbers

^{**}Results from SFY 2014 Alternative Sentencing Worker Program Evaluation conducted by Robert Walker, M.S.W., L.C.S.W., and Jaime Miller, B.A. with the University of Kentucky Center on Drug and Alcohol Research. Does not include Louisville-Jefferson County Public Defender Corporation Caseload Numbers

Protection & Advocacy



1,721 **CLIENTS ASSISTED** CASES

65 **FACILITIES MONITORED**

Since 2013, the Interim Settlement Agreement (ISA) has provided much needed community supports and services to those living in a personal care home (PCH) who want to live in the community or who are at risk of living in a PCH. In September 2015, the Cabinet for Health and Family Services and Kentucky P&A successfully negotiated to extend the terms of the agreement.

Individuals who have been institutionalized most of their adult lives now have access to services that will assist them in maintaining independence in their own homes in the communities of their choice.

The mission of Kentucky Protection & Advocacy is to protect and promote the rights of Kentuckians with disabilities through legally-based individual and systemic advocacy, and education.

The full P&A Annual Report is available at: www.kypa.net.







THE EMPOWERED CLIENT

Since age 15, Robert struggled with alcoholism and a mental health diagnosis. For years he cycled in and out of treatment centers. While he had long periods of sobriety where he held employment as a painter and production worker, he found himself in and out of treatment centers, psychiatric hospitals, the streets, and jail due to relapses and his alcohol infused behaviors. While homeless, Robert found out about Colonial Hall Personal Care Home, and called to inquire about living there.

Initially, Robert felt it was a good place to stay, but over time he became overwhelmed by feelings of despair and hopelessness. There was never enough food, the daily activities at the home included ring toss or bingo, many residents slept all day, and there was no privacy. Robert wanted more out of his life.

Robert met Susan Harris, a member of the Seven Counties Services (SCS) Rural ACT Team who visited the PCH weekly to discuss options available through the Interim Settlement Agreement. Within three weeks of his initial meeting, Robert decided to move into the community, interviewed with the SCS Rural ACT Team and worked with them to apply for a housing voucher, and soon thereafter moved into his own house.

Robert is thrilled with his new home; he is within walking distance to public transportation, SCS Rural, stores, and restaurants. He received ACT services, crisis services, and supported housing through SCS Rural ACT team, as well as assistance in securing services and support to maintain independence in the community through the Community Integration Supplement.

Robert gives full credit to the SCS Rural ACT Team for giving him the confidence to live independently, in addition to allowing him to focus on all aspects of his treatment. He is now ready to pursue part-time employment, attends AA meetings, and has a full social life.

Kentucky Innocence Project

KENTUCKY EXONEREES AND THE REASON FOR THEIR WRONGFUL CONVICTION

LARRY OSBORNE (1999, Whitley)

Convicted at Trial: Double Murder, Arson, Burglary, Robbery, DEATH SENTENCE.

Served 4 Years.

Exonerated August 8, 2002:

Reliance on Coerced Testimony of Juvenile Witness

SAM PLOTNICK (2001, Whitley)

Convicted at Trial: Sexual Abuse 18 YEAR SENTENCE.

Served 7 Years. **Exonerated** January 2008:

Ineffective Assistance of Counsel

JASON GIRTS (2004, Bullitt) Convicted at Trial:

1st Degree Sexual Abuse 5 YEAR

SENTENCE. Served 3 Years.

Exonerated April 29, 2008: Perjury

WILLIAM VIRGIL (1998, Campbell) Convicted at Trial: Murder 70 YEAR SENTENCE.

Served 28 Years.

Exonerated December 18, 2015: Unreliable Witness Testimony, Inadequate Forensic Evidence



WILLIAM GREGORY (1993.

Jefferson) Convicted at Trial: Rape, Attempted Rape, Burglary. 70 YEAR SENTENCE.

Served 7 Years. Exonerated July 5, 2000: Eyewitness Misidentification, Invalidated Forensic Science

(1999, Butler) Convicted

at Trial: Sexual Ahuse

55 YEAR SENTE

Served 7 Years.

Exonerated May 6, 2006: Perjury

LACY BEDINGFIELD (1996, Fav-

ette) Convicted at Trial: Rape 25 YEAR SENTENCE.

Served 14 Years.

Exonerated September 11, 2008: Coerced

Confession, Improper Forensic Evidence, Perjury

MICHAEL VONALLMEN (1983,

Jefferson) Convicted at Trial: Rape, Sodomy, Robbery

YEAR SENTENCE. Served

11 Years. Exonerated June 4, 2010: Eyewitness Misidentification

JEFFREY CLARK

(1995, Meade) Convicted at Trial: Murder LIFE SENTENCE.

Served 22 Years. **Exonerated July** 14, 2016: Perjury, Invalidated Forensic Science, Police Misconduct

2002

2004

2010

2014

2016

HERMAN MAY (1988, Franklin) Convicted at Trial: Rape,

Sodomy. 40 YEAR **SENTENCE**

Served 13 1/2 Years. **Exonerated**

September 18, 2002:

Eyewitness Misidentification

TIM SMITH (2000, Kenton)



Convicted at Trial: 1st Degree Sodomy 20 YEAR SENTENCE.

Served 7

Years. Exonerated May 5, 2006: False Expert Testimony, Perjury

JOHN PHILLIPS (2005, McCreary) Convicted at Trial: 1st Degree Assault

10 YEAR SENTENCE. Served 4 Years.

Exonerated December 4, 2008:

Unreliable Witness Testimony, Inadequate Forensic Evidence

KERRY PORTER (1996

Jefferson) Convicted at Trial: Murder 60 YEAR

SENTENCE

Served 14 Years. Exonerated December 19, 2011: **Eyewitness Misidentification**

GARR HARDIN

(1995, Meade) Convicted at Trial: Murder LIFE SENTENCE.

Served 22 Years. **Exonerated July** 14, 2016: Perjury,

Invalidated Forensic Science, Police Misconduct. (Represented by the National Innocence Project)

DENARRIUS TERRY (2003, Logan) Convicted at Trial: Murder,

Robbery, Wanton Endangerment. 45 YEAR SENTENCE. Served 4 ½ Years.

Exonerated September 2, 2005: Unreliable Witness Testimony

JAQULYNN GREEN (2000, McCreary)

Entered Plea: Complicity to Commit Murder Under EED 18 YEAR SENTENCE.

Served 7 Years.

Exonerated December 11, 2007:

Government Misconduct, Ineffective Assistance of Counsel

EDWIN A. **CHANDLER**

(1995, Jefferson) Convicted at Trial: Robbery, 2nd Degree Manslaughter

30 YEAR SENTENCE.

Served 9 Years, Exonerated October 13, 2009:

Coerced Confession, Police Misconduct



SUSAN KING (2008, Spencer

Entered Plea: 2nd Degree Manslaughter 10 YEAR SENTENCE.

Served 6

Years.

Exonerated October 9, 2014: Police Misconduct, Ineffective

Assistance of Counsel

THE INNOCENT CLIENT



In 1995, Jeff Clark and Keith Hardin were convicted for the murder of Hardin's girlfriend, RW.* In 2016, after more than twenty years in prison for a crime they didn't commit, they were freed thanks to the work of the Kentucky Innocence Project (KIP) and the National Innocence Project, based in New York. KIP is an office within the Post-Conviction Branch of the Department of Public Advocacy.

Throughout the investigation and trial, Clark and Hardin insisted they were innocent, but they were found guilty based on faulty claims that KIP and the National Innocence Project were able to disprove. For example, the prosecution claimed the two men were involved in satanic worship and that a worship ritual led to the murder. In support of that theory, at trial the Commonwealth presented blood found on a cloth in Hardin's home and claimed, without

proof, that it was animal blood used in a ritualistic sacrifice. Upon investigation and DNA testing, KIP was able to prove that not only was the blood human, not animal, but that it was even Hardin's own blood within his own home.

Similarly, the prosecutor had argued at trial that a hair found on the victim's sweatpants was "exactly like" Hardin's, but postconviction DNA testing demonstrated conclusively that the hair was not his.

Finally, a jailhouse informant (a frequent factor in convictions later found to be faulty) claimed that Clark had confessed the murder to him on two occasions. After a trial, a letter surfaced indicating that the informant had lied at trial about Clark's "confessions" in order to gain favor by the Commonwealth and receive shock probation.

On July 14, 2016, the Court entered a 25-page order overturning the convictions, finding that the newly-discovered DNA results undermined the credibility of the Commonwealth's case and that no credible evidence was presented at trial supporting the Commonwealth's inaccurate and misleading theory of Satanism. The Court also found that the testimony and credibility of the investigating officer in the case had been significantly undermined by the fact that the same officer had been investigated for giving false testimony in other cases, including that of prior KIP exoneree Edwin Chandler. The Court said that the faulty and false evidence "casts a long shadow" on the trial.

Mr. Clark was represented by attorneys Linda Smith and Amy Robinson Staples, who were assisted on the case by KIP Investigator Jimmer Dudley, administrative assistant Melissa Bourne, and paralegal Jennie Fisk. Seema Saifee and Barry Scheck of The National Innocence Project, and Larry Simon represented Mr. Hardin.

*Full name omitted out of respect for the deceased and her family.

DPA Investigators

"If I was charged with a crime, and I had to choose between a really great investigator with a mediocre attorney, or a really great attorney with a mediocre investigator, I'd choose the really great investigator and the mediocre attorney every time."

- Jon Rapping

DPA Investigators are the backbone of any defense team. They tirelessly work cases and show their value to the clients by doing whatever they can to further the theory of defense. Whether it is interviewing witnesses, reexamining crime scenes, earning the client's trust to help facilitate a plea negotiation, providing needed perspectives at case reviews, or becoming an expert in every field of forensics they come across, an Investigator gives immeasurable worth to their team. Trial wins and great outcomes in DPA are achieved through the dogged work of the office investigator. DPA Investigators have become a national model of excellence in performance, education, and unprecedented peer support.



The Right To Counsel Stands Above All Other Constitutional Protections

"Of all the rights that an accused person has, the right to be represented by counsel is by far the most pervasive for it affects his ability to assert any other rights he may have." U.S. v. Cronic. Public defenders statewide gathered May 10, 2016 to recognize individuals advancing the right to counsel and protections for persons facing a loss of liberty.

The mission of the Department of Public Advocacy is to provide each client with high quality services through an effective delivery system, which ensures a defender staff dedicated to the interests of their clients and the improvement of the criminal justice system. The DPA is an independent agency attached for administrative purposes to the Justice and Public Safety Cabinet headed by Secretary John Tilley. The DPA is the statewide public agency providing public defender services in all of Kentucky's 120 counties as well as Kentucky's appellate courts. By providing a fully funded public defender system, the Commonwealth is not only saved money, but is also ensured a fairer, stronger, and smarter criminal justice system.

Each year, the DPA honors those who have shown a deep commitment to the value of public defense. This year, the DPA had the privilege of honoring several legislators, attorneys, investigators, mitigation specialists, and administrative specialists who have gone above and beyond in their support of clients and the Kentucky public defender system.



From left to right: Representative David Floyd, Public Advocate Award for faithful work to abolish the death penalty; Jay Barrett, Directing Attorney Morehead Trial Office, Nelson Mandela Award for advancing the professional, independent representation of indigent defendants in Kentucky; Douglass C. Farnsley, President, Kentucky Bar Association, Public Advocate Award for courageous work to advance diversity in the legal profession; Representative Darryl T. Owens, Public Advocate Award for passionate work for felony expungement; Jimmer Dudley, Investigator, DPA Kentucky Innocence Project, Rosa Parks Award for tireless work on behalf of the wrongfully accused; Kristina Goetz, Reporter, The Courier-Journal, Anthony Lewis Media Award for choosing to report on the value of public defenders to the criminal justice system and their acute needs, and Scott Utterback, (not pictured) Photographer, The Courier Journal, Anthony Lewis Media Award for photographic work on the article presenting the value of public defenders to the criminal justice system and their acute needs; Melanie Lowe, former DPA Staff Attorney, Gideon Award, for committed service of ensuring the right to counsel for clients in Kentucky; Angela Rea, Louisville-Jefferson Public Defender Corporation Attorney, Professionalism and Excellence Award for thorough, professional and excellent representation of clients; LeAnn Jones, DPA Staff Attorney, In Re Gault Award, for passionate representation of Kentucky children; Sam Cox, Former DPA Staff Attorney, Furman Award for zealous representation of capital clients across the Commonwealth; Presenter of the P & E Award, KBA President-Elect Mike Sullivan; and Public Advocate Ed Monahan.

We are in fact bending the arc of justice. While Dr. King said 'the arc of the moral universe is long but it bends toward justice,' I must say to you that it does not bend of its own volition, it only bends because people of good will, people like you, apply your hands constantly and firmly to that arc to bend it toward justice." -Judge Bernice B. Donald



2016 Anthony Lewis Media Award

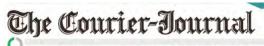
The Anthony Lewis Media Award, named for the New York Times Pulitzer The Courier-Journal Prize columnist and author of Gideon's Trumpet (1964), recognizes the crucial importance of the media in enlightening the public and policymakers on criminal justice issues.

The 2016 award went to the author and illustrator of *The Courier-Journal* two part series on Kentucky's public defender system.

KRISTINA GOETZ is dogged, determined, and resolute. She explored the connection between the challenges Kentucky's defenders face and the state's policies of wasteful over-incarceration.

SCOTT UTTERBACK was brilliant in his illustrations of the essence of the articles. His photographic work on the article presents the value of public defenders to the criminal justice system and their acute needs.

Kristina and Scott were determined to find the truth about the overwhelming workloads of Kentucky defenders, the inadequate compensation of those As demand for representation rises, the quality is at risk representing indigent clients, and the dire need for relief.



THIN RANKS, HIGH RISKS

Many on Medicaid in KY work for low pay



FELONY EXPUNGEMENT NOW POSSIBLE IN KENTUCKY...

On April 12, 2016, Governor Matt Bevin signed House Bill 40, a felony expungement law years in the making. Before House Bill 40, expungement was unavailable to citizens convicted of even the lowest level felonies. The new law makes substantial changes to expungement in Kentucky by creating a felony expungement procedure and greatly easing misdemeanor expungement.



..But More Reform is Needed



"Kentucky has a lot of really great stories to tell about justice reform, both for adults and juveniles. Kentucky, in just two or three short years, went from one of those states which led the world in detention of kids who committed no crimes – status offenders – and also detention of public offenders at about the same rate as the status offenders. Having said that, we cut detention rates by 60% by some accounts, since the passage of SB 200. A lot of good stories to tell. The bad news is after 2011 our prison population dipped from the 23,000-range down to 19,000 at some point. Now we're back to 23,500. Most of our county jails are well over capacity as are our state prisons. We have no more room at the inn. There is much work to do. There is consensus among many on both sides of this debate that we can do better. We can start with the penal code."

Secretary John Tilley, DPA Annual Conference Awards Banquet, May 2016

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Robert A - 14-CR-00173 [FLAGRANT NON SUPPORT]

Donna) - 15-F-00021 (MANUFACTURING METHAMPHETAMINE, 15T OFFENSE)

Teddy 5 - 15-CR-00328 [MANUFACTURING METHAMPHETAMINE, 15T OFFENSE]

Megian 5 - 15-MC00328 (MANUFACTURING METHAMPHETAMINE, 15T OFFENSE)

Megian 5 - 15-MC00328 (MANUFACTURING METHAMPHETAMINE, 15T OFFENSE)

Lachrica B - 13-CR-00329 [MORDATION VIOLATION [FOR TECHNICAL VIOLATION])

Michael C - 18-CR-00329 [MORDATION VIOLATION [FOR TECHNICAL VIOLATION])

Michael C - 18-CR-00329 [MORDATION VIOLATION [FOR TECHNICAL VIOLATION])

John 15-CR-00037 [MU, 13-OFFENSE]

Elvin 1 - 15-CR-00038 [MU, 13-OFFE
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Joshua M. 12-CR-00152 (PROBATION WOLATION (FOR TECHNICAL VIOLATION))
Michael 0-15-CR-00154 (ESCAP-ZAD) DEGREE I DEIMPIF FACIUTY)
Michael 1-15-T-02018 (REC & TITLE REQUIREMENTS VEH NOT OPER ON HWY)
Wanna M. 16-F-00008 (POSS CONT SUB, 157 DEGREE, 15T OFFENSE - DRUG UNSPECIFIED)
Billy 8-1-5-CR-00124 (FLORISMAT NOS SUPPORT)
Brandon 5-15-F-00201 (ROBBERY, 2ND DEGREE)
Brown 1-5-F-00201 (ROBBERY, 2ND DEGREE)
Brown 1-5-F-00201 (ROBBERY, 2ND DEGREE)
TOWN 1-5-F-00231 (LUCENSE TO BE IN POSSESSION)
JESSICA 1-16-CRO0134 (RECEIVING STOLEN PROPERTY U/S10,000)
Escape 1-6-CR-00134 (RECEIVING STOLEN PROPERTY U/S10,000)
JESICA 1-16-CR-00134 (RECEIVING STOLEN PROPERTY U/S10,000)
JESICA 1-16-CR-00134 (RECEIVING STOLEN PROPERTY U/S10,000)
JORDAN 1-15-F-00231 (LUCENSE TO BE IN POSSESSION)
JORDAN 1-15-F-00231 (LUCENSE TO BE IN POSSESSION)
JORDAN 1-15-F-00231 (MANUFACTURING METHAMPHETAMINE, 1ST OFFENSE)
AAMING 1-15-F-00231 (MANUFACTURING METHAMPHETAMINE, 1ST OFFENSE)
AAMING 1-15-F-00231 (RECEIVING STOLEN PROPERTY U/S10,000)
JORDAN 1-15-CR-00231 (PRECEIVING STOLEN PROPERTY U/S10,000)
JORDAN 1-15-CR-00231 (PRECEIVING STOLEN PROPERTY U/S10,000)
JORDAN 1-15-CR-00231 (PRECEIVING STOLEN PROPERTY U/S10,000)
JORDAN 1-15-GR-00321 (PREADAT NON SULPPORT)
ROS-15-F-00386 (CONVICTED FELON IN POSSESSION OF A HANDGUN)
Maria M-1-5-M-00401 (MANTON ENDAMERMENT-2ND DEGREE)
HARVOR 1-16-CR-00134 (TRES, ORD STOLEN SULPPORT)
JORDAN 1-15-M-00591 (CRIMINAL TRESPASS - AND DEGREE)
JORDAN 1-1

Brittany C - 15-CR-00201 (CRIMINAL ABUSE-1ST DEGREE-CHILD 12 OR UNDER)
William E - 14-CR-00118 (TICS, 2ND DEGREE, 1ST OFF(+20 D.U. DRUG UNSP SCHED 3))
Terryl - 14-CR-00118 (TICS, 2ND DEGREE, 1ST OFF(+20 D.U. DRUG UNSP SCHED 3))
Terryl - 14-CR-00118 (TICS, 2ND DEGREE, 1ST OFF(+20 D.U. DRUG UNSP SCHED 3))
Amanda R - 13 CR-00001 (PROBATION VIOLATION (FOR TECHNICAL)
Amanda R - 13 CR-00001 (PROBATION VIOLATION (FOR TECHNICAL)
Amanda R - 13 CR-00001 (PROBATION VIOLATION (FOR TECHNICAL)
Rebects H - 15 M-00233 (LOCAL COUNTY ORDINANCE)

Wy C - 13-CR-00031 (CONVICTOR ETCO) (PROBATION VIOLATION (PROBATION)
Rebects H - 15 M-00233 (LOCAL COUNTY ORDINANCE)

Wy C - 13-CR-00031 (CONVICTOR ETCO) (PROBATION VIOLATION (PROBATION)
Rebects H - 15 M-00233 (LOCAL COUNTY ORDINANCE)

Wilchael C - 16-CR-00037 (MUNDER)

David B - 15-M-00358 (POSS CONT SUB, 2ND DEGREE - DRUG UNSPECIFIED)

Brian 1 - 16-F-00004 (TICS, 1ST DEGREE, 1ST OFFERS (2 C 36M METHAMPHETAMINE))

David B - 15-M-00258 (CONTROLLES SUBSTANCE PRESCRIPTION NOT IN ORIG CONTAINER 1ST)

Letta H - 14-CR-00014 (TICS, 1ST DEGREE, 1ST OFFERS (2 C 36M METHAMPHETAMINE))

David B - 15-M-00269 (CONTROLLES SUBSTANCE PRESCRIPTION NOT IN ORIG CONTAINER 1ST)

Letta H - 14-CR-0004 (TICS, 1ST DEGREE, 1ST OFFERS (2 ST MM METHAMPHETAMINE))

James C - 14-T-0064 (DPERATING ON SUSPENDED/REVOKED OPERATORS LICENSE)

Billy B - 15-CR-00016 (TICS, 2ND DEGREE, 1ST OFFERS (2 ST OFFERS)

JOHN S - 15-CR-00016 (TICS, 2ND DEGREE, 1ST OFFERS (2 DO LICENSE 2))

Gregory S - 15-CR-00026 (PROBATION VIOLATION (FOR TECHNICAL VIOLATION))

Melissa H - 16-CR-00026 (PROBATION VIOLATION (FOR TECHNICAL VIOLATION))

Melissa H - 16-CR-00026 (PROBATION VIOLATION (FOR TECHNICAL VIOLATION))

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Melissa H - 15-CR-00026 (PROBATION VIOLATION (FOR TECHNICAL VIOLATION))

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Melissa H - 15-CR-00026 (PROBATION VIOLATION (FOR TECHNICAL VIOLATION))

Melissa H - 15-CR-00026 (PROBATION VIOLATION (GaryG-13-LR-00242 [FURBA HOM VIOLATION [FOR IECHNICAL VIOLATION]]

Charles H-16-F-00084 [TICS, 151 EGEREE, 157 OFFENSE] = 2 GMS METHAMPHETAMINE])

Melvin D-15-M-00553 [ORUG PARAPHERNALIA - BUY/PIOSSESS]

TimothyC-15-T-00888 [UI], 15 Offense]

Elis J-15-CR-00232 [CRIMINAL POSSESSION FORGED INSTRUMENT-2ND DEGREE-I)

Brandon S-15-CR-00238 [CRIMINAL POSSESSION FORGED INSTRUMENT-2ND DEGREE-I)

Brandon S-15-CR-00238 [TICS, 15T DEGREE, 15T OFFE)

JOHNATH H-15-CR-00218 [TICS, 2ND DEGREE, 15T OFFE)

JOHNATH H-15-CR-00218 [TICS, 15T DEGREE, 15T OFFE (14D L.) DRUG UNSP SCHED 3])

JOHNATH -15-CR-00288 [TICS, 15T DEGREE, 15T OFFE (14D L.) DRUG UNSP SCHED 1& 2))

John H-14-CR-00180 [TICS, 15T DEGREE, 15T OFFE (14D L.) DRUG UNSP SCHED 1& 2))

John H-14-CR-00180 [TICS, 15T DEGREE, 15T OFFE (14D L.) DRUG UNSP SCHED 1& 2))

John H-14-CR-00180 [TICS I LT DEGREE, 15T OFFE (14D L.) DRUG UNSP SCHED 1& 2))

John H-15-M-00386 [TICS, 15T DEGREE, 15T OFFE (14D L.) DRUG UNSP SCHED 1& 2))

John H-15-CR-00180 [TICS I LT DEGREE DETENTION OF TECHNICAL VIOLATION])

Curtis H-15-M-00386 [TISUT OR DRS PAL OTHERS US SOO)

JOHN H-15-CR-00396 [PROBATION VIOLATION (FOR TECHNICAL VIOLATION))

Letta H-13-CR-00396 [PROBATION VIOLATION (FOR TECHNICAL VIOLATION))

Steven R-16-M-00314 (ERCENIVAR STOLER PROPERTY (FIREARM))

Steven R-16-M-00314 (ERCENIVAR VIOLATION (FOR TECHNICAL VIOLATION))

JOHN H-15-CR-00305 (CMPATON VIOLATION (FOR TECHNICAL VIOLATION))

JOHN H-15-CR-00306 (CMPATON VIOLATION (FOR TECHNICAL VIOLATION))

JOHN H-15-CR-00306 (CMP Edward R. 13-GR.00279 (PBOBATION VIOLATION (FOR TECHNICAL VIOLATION))
CREW N. 1-15-CR-00181 (CRIMINAL PESSASSION FORGED INSTRUMENT-IST DEGREE.)
EFINER R. 15-M-000261 (VICTION OF RETIVERY P.O. /D. V.O.)
VICTOR S. 16-CR-000380 (VIOLATION (FOR TECHNICAL VIOLATION))
Angela W. 12-CR-00124 (PROBATION VIOLATION (FOR TECHNICAL VIOLATION))
Angela W. 12-CR-00124 (PROBATION VIOLATION (FOR TECHNICAL VIOLATION))
Angela W. 12-CR-00124 (PROBATION VIOLATION) (FOR TECHNICAL VIOLATION))
Angela W. 12-CR-00136 (PROBATION VIOLATION (FOR TECHNICAL VIOLATION))
Angela W. 12-CR-00136 (PROBATION VIOLATION) (FOR TECHNICAL VIOLATION))
Angela W. 12-CR-0036 (TICS, 2015 DEGREE, 15T OFF-(20 D.L.)
David A. 13-CR-00363 (PROBATION VIOLATION) (FOR TECHNICAL VIOLATION))
KRITSY T. 15-CR-00365 (PROBATION VIOLATION) (FOR TECHNICAL)
HARROD 1-15-M-00036 (PROBATION VIOLATION)
HARROD 1-15-Edward R - 13-CR-00279 (PROBATION VIOLATION (FOR TECHNICAL VIOLATION))
Casey N - 15-CR-00181 (CRIMINAL POSSESSION FORGED INSTRUMENT-15T DEGREE-I) Shawin E - 15-F-0029 [TRAFFICI IN CONTROLLED SUSTANCE, 2ND OR> OFFENSE]
Arthur C - 15-F-00495 [TRICTINE OF A DOG/ACT WITH SERIOUS PHYS INJURY/DEATH)
Michael L - 16-CR-00102 [TROS, 2ND DEGREE, 15T OFFENSE]
JOSHUA G - 15-F-00012 [ROSCOUTTS CONTRAGANO) - 15T DEGREE]
JOSHUA G - 15-F-00012 [ROSCOUTTS CONTRAGANO) - 15T DEGREE]
JOSHUA G - 15-F-00012 [ROSCOUTTS CONTRAGANO) - 15T DEGREE]
PAULA G - 15-F-00012 [ROSCOUTTS UIR, 2ND DEGREE - DRUG UNSPECIFIED])
Tonia B - 15-M-00012 [ROSCOUTTS UIR, 2ND DEGREE - DRUG UNSPECIFIED])
Tonia B - 15-M-00012 [ROSCOUTTS UIR, 2ND DEGREE - DRUG UNSPECIFIED])
Tonia B - 15-M-00014 [ASSAULT ATTH DEGREE MINOR INJURY)
ICEIABHE B - 14-CR-00027 [ROSCOUTTS UIR, 2ND DEGREE, 15T OFFENSE |>-10 DL. DRUG UNSPECIFIED)]
Michael M - 15-CR-00013 [CULTIVATION OF MARIULANA, 5 OR MORE PLANTS; 1ST OFFENSE)
JOHN MICHAEL MARIUM STAND OF MARIULANA, 5 OR MORE PLANTS; 1ST OFFENSE)
JOHN MICHAEL MARIUM STAND OF MARIULANA, 5 OR MORE PLANTS; 1ST OFFENSE)
JOHN MICHAEL MARIUM STAND OF MARIULANA, 5 OR MORE PLANTS; 1ST OFFENSE)
JOHN MICHAEL MARIUM STAND OF MARIUM Paul T - 15F-00371 (MANUFACTURING METHAMPHETAMINE, 1ST OFFENSE)
MARY B - 16F-00909 (ASSAULT SAD DEGREE-POLECYPROBATION OFFICER-IDENTI)
Lawrence M - 15-CR-00142 (TICS, 1ST DEGREE, 1ST OFFENSE (D=10 D.U. DRUG UNSPECIFIED))
Billy B - 15-CR-00122 (WANTON ENDANGERMENT-1ST DEGREE)
Justin M - 15-T-01122 (DUI, 3rd Offense)
Bobby F - 13-CR-00149 (TICS, 1ST DEGREE, 1ST OFF (=10 D.U.)
James D - 127-02112 (FALURE OF OWNER TO MANTAIN REQUIR) James D. - 12-T-02112 [Fallure OF OWNER I 10 MAIN IAIN REQUIN)
Thomas R. 1-6-MO0164 (RESISTING ARREST)
Jackie L. 1-6-CR-00022 (COMP CRIMINAL POSSESSION FORGED INSTRUMENT-2ND DEGREE-I)
Back H. 1-6-MO0101 (LEAVING SCENCE OF ACCIDENT/FALURE TO RENDER AID OR ASSISTANC)
David A - 13-CR-00440 (PROBATION VIOLATION (FOR TECHNICAL VIOLATION))
9,15

THE AVERAGE CASELOAD OF A **DPA ATTORNEY**

Ova H - 15-F-00344 (BURGLARY 3RD DEGREE)
Amanda W - 15-F-00238 (CRIMINAL MISCHIEF, 1ST DEGREE)
Amanda W - 15-F-00238 (CRIMINAL MISCHIEF, 1ST DEGREE)
James S - 13-CR-00244 (PROBATION VIOLATION FOR TECHNICAL VIOLATION))
Tamara A - 15-CR-00344 (ROBATION VIOLATION FOR TECHNICAL VIOLATION))
Timara A - 15-CR-0034 (ROBATION VIOLATION FOR TECHNICAL VIOLATION))
Tifflary M - 15-CR-0031 (LINLAWFUL POSSESSION OF METH PRECURSOR, 1ST OFFENSE)
James B - 16-M-00036 (VIOLATION OF KERTILCY & P.O. DV. A.).
CIÉTON B - 16-F-00005 (BURGLARY ZND DEGREE)
AMAY W - 15-CR-00137 (ICL STED BEGREE, 1ST OFFENSE () JAMES UN SPECHED 18: 2))
Bonnie L - 15-CR-00277 (TICS, 1ST DEGREE, 1ST OFFENSE () – 10 D.U. DRUG UNSPECHED)
Sylviah H - 3-GR-00244 (PROBATION VIOLATION) (POR TECHNICAL VIOLATION))
Jason M - 16-T-0038 (LEXINIG SCENE OF ACCIDENT/FAILUBE TO RENDER ALD OR ASSISTANC)
Ames C - 15-T-00470 (FAILUBE OF NON-OWNER OPERATOR TO MAINTAIN REQ INSURANCE, 1ST)
Jerry F - 15-CR-00134 (MANUEACURING METHAMPHETAMINE, 1ST OFFENSE)
Catise L - 13-CR-00134 (MANUEACURING METHAMPHETAMINE, 1ST OFFENSE)
Catise L - 13-CR-00134 (PROBATION VIOLATION (FOR TECHNICAL VIOLATION))
Jeffery C - 15-CR-00134 (MANUEACURING METHAMPHETAMINE, 1ST OFFENSE)
Catise L - 13-CR-00134 (PROBATION VIOLATION (FOR TECHNICAL VIOLATION))
Jonathan B - 16-F-00076 (TICS, 2ND DEGREE, 1ST OFFENSE) (»—46M SCOGLINE))
Jonathan B - 16-F-00076 (TICS, 2ND DEGREE, 1ST OFFENSE) (»—46M SCOGLINE))
Jonathan B - 16-F-000676 (TICS, 2ND DEGREE, 1ST OFFENSE) (»—46M SCOGLINE)
Jonathan B - 16-F-000676 (TICS, 2ND DEGREE, 1ST OFFENSE) (»—46M SCOGLINE)
Jonathan B - 16-F-000076 (TICS, 2ND DEGREE, 1ST OFFENSE) (»—46M SCOGLINE)
Jonathan B - 16-F-000076 (TICS, 2ND DEGREE, 1ST OFFENSE) (»—46M SCOGLINE)
Jonathan B - 16-F-000076 (TICS, 2ND DEGREE, 1ST OFFENSE) (»—46M SCOGLINE)
Jonathan B - 16-F-000076 (TICS, 2ND DEGREE, 1ST OFFENSE) (»—46M SCOGLINE)
Jonathan B - 16-F-000076 (TICS, 2ND DEGREE, 1ST OFFENSE)
JONATH B - 15-CR-00012 (TICS, 2ND DEGREE, 1ST OFFENSE)
JONATH B - 15-CR-00012 (TICS, 2ND DEGREE, 1ST OFFENSE)
JONATH

Lawrence M - 15-1-00150 (TICS, 2MD DEGREE, 151 OFF(-20 D.U. DRUG UNSP SCHED 3)) Benny B - 16-CR-00018 (RECEIVING STOLEN PROPERTY U/51,000) Tiffany C - 15-F-00208 (TAMPERING WITH PHYSICA<mark>L EVIDENC</mark>E) Michael A - 16-T-00211 (LEAVING SCENE OF ACCI<mark>DENT/FAILU</mark>RE TO RENDER AID OR ASSISTANC)

THE ACTUAL CASES TO WHICH A SPECIFIC DPA ATTORNEY WITH AN "AVERAGE" CASELOAD WAS APPOINTED TO IN FY 16.